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FACSIMILE COVER SHEET

DATE: NOVEMBER 15, 2006

NUMBER OF PAGES (INCLUDING
THIS TRANSMITTAL COVER SHEET): 5

OUR REFERENCE: 218811

FROM: **BRUCE M. GAGALA/EKM**
REGISTRATION NO. 28,844

TELEPHONE: (312) 616-5600

TO: UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

FACSIMILE NUMBER: (571) 273-8300

IN RE APPLN. OF: GOLDMAN ET AL.
U.S. PAT. APPLN. NO. 10/089,009
FILED: August 6, 2002
FOR: INTERLEUKIN-2 RECEPTOR ASSOCIATED
POLYPEPTIDES

GROUP ART UNIT: 1646
EXAMINER: DONG JIANG
ATTORNEY DOCKET: 218811

ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (2
PAGES)
DUPLICATE COPY (2 PAGES)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/089,009

Applicant: Goldman et al.

Filed: August 6, 2002

TC/AU: 1646

Examiner: Dong Jiang

Docket No.: 218811 (Client Reference No. E-025-1999/0-US-03)

Customer No.: 45733

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NOTICE OF APPEAL FROM THE
EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed November 1, 2006, rejecting the following claims: 1, 3, 5, 9, 11-15 and 22-29.

1. Pre-Appeal Brief Request for Review

A "Pre-Appeal Brief Request for Review" is ☐ filed concurrently herewith or ☒ is not being filed.

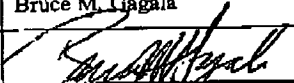
2. Status of Applicants

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

3. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☒ other than a small entity or ☐ a small entity.

Notice of Appeal Fee due \$500.00

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: 571-273-8300.			
Name (Print/Type)	Bruce M. Gagala		
Signature		Date	November 15, 2006

11/16/2006 TL0111 00000044 121216 10009009

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Application No. 10/089,009

Notice of Appeal

4. **Extension of Time**

- ☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- ☐ An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.
- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$ 0.00

5. **Total Fee Due**

The total fee due is:

Notice of Appeal Fee	\$ 500.00
Extension Fee (if any)	\$ 0.00

Total Fee Due: \$500.00

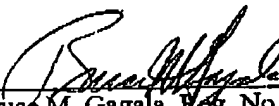
6. **Fee Payment**

- ☒ Attached is a check in the sum of \$ Charge Account No. 12-1216 the sum of \$500.00. A duplicate of this transmittal is attached.

7. **Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,



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Date: November 15, 2006

Appeal Notice (Revised 2006 06 26)